



# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

August 24, 2009

To: Supervisor Don Knabe, Chairman  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Michael D. Antonovich

Board of Supervisors  
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First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

From: William T Fujioka  
Chief Executive Officer

## **MOTION TO SUPPORT ISSUES RAISED BY THE SHERIFF AND THE DISTRICT ATTORNEY REGARDING THE CORRECTIONS REFORM BILL AND TO EXPRESS THE COUNTY'S SERIOUS CONCERNS REGARDING THE ALTERNATIVE CUSTODY OPTION FOR LOWER-RISK STATE PRISON INMATES (ITEM NO. 24-A, AGENDA OF AUGUST 25, 2009)**

Item No. 24-A on the August 25, 2009 Agenda is a motion by Supervisor Knabe to send a five-signature letter to the Governor and the Legislature to: 1) express support for the issues raised by the Sheriff and the District Attorney regarding the Corrections Reform bill, and 2) express the County's serious concerns regarding the impact of the alternative custody option for lower-risk offenders that allows for the early release of elderly and infirm inmates with significant health, mental health, and social services needs resulting in further degradation and burden to the County's safety net and criminal justice systems.

The Sacramento advocates have shared the County's major concerns with the County's Legislative Delegation about the potential for the alternative custody option to impose significant and unmanageable costs on the County, particularly in the areas of health and human services. In addition, the District Attorney sent a letter to the Legislature opposing ABX3 14 (Arambula), and the Sheriff sent a letter expressing concerns with the measure, including opposition to the proposal to establish a State sentencing commission.

On August 20, 2009, the Senate voted 21 to 19 to narrowly approve ABX3 14, the Corrections Reform bill intended to achieve the \$1.2 billion in previously unallocated reductions to the California Department of Corrections and Rehabilitation included in the FY 2009-10 Revised State Budget Act. ABX3 14 included policy reforms in the areas of parole, custody and program credits, and would have resulted in a reduction to the State prison population of over 27,000 inmates over the next fiscal year, and the

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appointment of a sentencing commission which would have the authority to amend criminal sentences. However, the bill stalled in the Assembly on August 21, 2009, because there were insufficient votes for passage.

The lack of consensus on ABX3 14 afforded an opportunity for stakeholders including the County, the California State Association of Counties, Urban Counties Caucus, and a number of law enforcement organizations, including the District Attorney and the Sheriff, to offer amendments to mitigate their shared concerns with the bill. In order for the Assembly to pass a Corrections Reform measure which differs from the Senate version, it is necessary to amend a Senate bill currently in the Assembly. SBX3 18 (Ducheny) will be amended to include the contents of ABX3 14 with significant changes, including the elimination of the alternative custody option, and changes to the sentencing commission.

Because SBX3 18 will no longer include the alternative custody option, some of the County's concerns regarding the potential for that proposal to impose unmanageable costs on the County's health and human services programs appear to be addressed. However, this office and the affected departments continue to review the details of the new bill which is still in draft form. The District Attorney and the Sheriff's Department are working with Assembly Speaker Karen Bass to seek further amendments to eliminate the sentencing commission and to address other concerns.

Therefore, consistent with the position established in the Sacramento Update of August 14, 2009, **the Sacramento advocates will continue to work with the California State Association of Counties, other appropriate statewide associations, and the Sheriff's Department and District Attorney to advocate the County's interests in the development of proposals to reduce the population in the State prison system, including SBX3 18 and any subsequent proposals.**

At this time, it remains unclear when the Assembly will consider SBX3 18.

WTF:RA  
MR:MS:lm

c: Executive Officer, Board of Supervisors  
County Counsel  
Sheriff Department  
District Attorney  
Department of Health Services  
Department of Public Health  
Department of Mental Health  
Department of Public Social Services